



CONNECTICUT
BUSINESS & INDUSTRY
ASSOCIATION



TESTIMONY OF ERIC J. BROWN
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CONNECTICUT BUSINESS & INDUSTRY ASSOCIATION
before the
COMMERCE COMMITTEE
March 7, 2013

Good morning. My name is Eric Brown and I serve as director of energy and environmental policy with the Connecticut Business & Industry Association ("CBIA"). On behalf of our 10,000 large and small member companies throughout Connecticut, we appreciate this opportunity to testify in support of two bills on today's public hearing agenda:

S.B. No. 759 AN ACT CONCERNING THE WAIVER OF FINES AND PENALTIES
FOR CERTAIN BUSINESS REGULATION VIOLATIONS

and

H.B. No. 1006 AN ACT CONCERNING PERMITTING ACCOUNTABILITY

These comments were prepared through CBIA's Environmental Policies Council – the state's premier organization for representing Connecticut's regulated businesses on environmental and energy issues before state government.

S.B. No. 759 AN ACT CONCERNING THE WAIVER OF FINES AND PENALTIES
FOR CERTAIN BUSINESS REGULATION VIOLATIONS

CBIA supports this bill

CBIA greatly appreciates the Commerce Committee raising this bill.

This measure would be extremely helpful for small businesses that struggle to keep up with myriad and ever changing environmental regulations – including countless requirements not directly related to environmental or public health impacts, but rather record-keeping, training, signage, reporting, to name just a few.

Additionally, the bill would send a loud message to the marketplace that Connecticut, and our environmental agency is genuinely changing its attitude towards businesses and recognizing that providing more compliance assistance is a more effective and efficient approach to achieving compliance – which should be, and I believe is, their primary goal in this area.

CBIA is pleased that Commissioner Esty is supportive of this change. Unfortunately, the federal EPA has been very rigid and resistance to allowing states, even states with stellar environmental records like Connecticut, to stray from that agencies dated and misguided commitment to heavy handed and punitive enforcement – even for minor violations that don't directly impact the environment. Passage of this bill would send a strong signal to EPA as well that "Connecticut can do compliance – better, faster and more effectively" than the federal government.

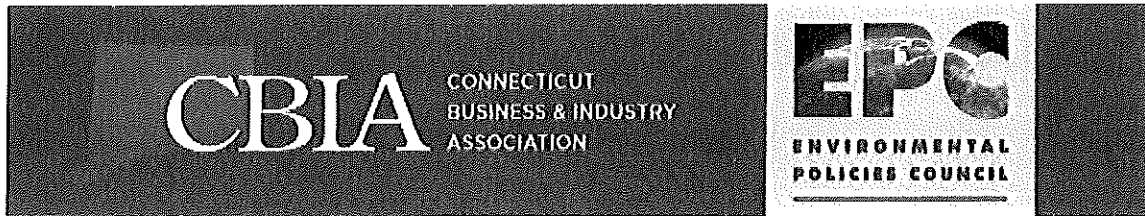
We do believe the bill could be improved and clarified by being more specific about what measures would make a company eligible for a waiver. Not every violation can be "fully remediated" within 30 days. We suggest the following substitute language:

Starting in line 7, strike the following: "takes full remedial measures not later than thirty days"

and substitute in its place:

"contractually or otherwise commits to fully correcting the underlying violation or alleged violation within 30 days or a reasonable time thereafter, as approved by the commissioner of said department"

Thank you again for raising this bill. CBIA strongly supports the measure and we would be happy to work with you to improve it and work for its passage.



H.B. No. 1006 AN ACT CONCERNING PERMITTING ACCOUNTABILITY

CBIA supports this bill

CBIA supports SB 1006 as a measure that can help improve the perception of Connecticut with respect to its attitude towards business.

When a state agency takes action to restrict business activity, or brings an enforcement action against a business, the business should be informed of the legal basis for that restriction or action. This additional transparency does not impose an unreasonable burden on state government, and would help prevent the instances of misuse of authority at the expense of businesses.

CBIA urges the committee to support S.B. 1006.

CBIA appreciates this opportunity to provide testimony on these bills and for your consideration of our positions.